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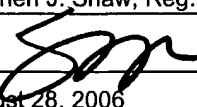
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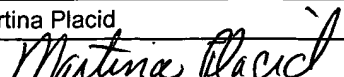
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	Filing Date	December 28, 2001	
	First Named Inventor	David J. Long	
	Group Art Unit	2192	
	Examiner Name	PHAM, CHRYSTINE	
Total Number of Pages in This Submission	5	Attorney Docket Number	50277-1766

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Firm or Individual name	Hickman Palermo Truong & Becker LLP Stephen J. Shaw, Reg. No. 56,442
Signature	
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re application of:

Confirmation No.: 3641

David J. Long, et al.

Examiner: Pham, C.

Serial No.: 10/040,578

Group Art Unit No.: 2192

Filed on: December 28, 2001

For: PROPERTY BUNDLES ON A PER-  
INSTANCE BASIS

MS Appeal Brief-Patents  
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**REPLY BRIEF UNDER 37 CFR § 1.193(b)(1)**

Sir:

This is in response to the Examiner's Answer mailed June 26, 2006, the shortened statutory period for which runs until August 26, 2006. By virtue of August 26, 2006 falling on a Saturday, the shortened statutory period expires on August 28, 2006.

## REMARKS

The Applicant respectfully submits to the Honorable Board that the Examiner's Answer does not provide sufficient evidence or reasoning to justify upholding the imposed rejections, for the reasons stated in Applicant's Brief and in this Reply.

### I. Attributes are not attribute values

As is well known to those in the computer science field, an attribute is not the same thing as an attribute value. However, from the Examiners' Answer, it appears that the present rejections are the result of confusing "attributes" with "attribute values".

An attribute of a class defines a storage structure that is allocated for all instances of the class. For example, an object class "person" may have an attribute "Age" which is of type Integer. Consequently, all instances of class "person" will include storage for storing an Integer for the attribute Age.

In contrast, an attribute **value** is the value that is stored in the storage structure of an attribute of an instance of the object class. Thus, an instance of class "person" will have storage for holding an integer for the "Age" attribute. At different points in time the value stored in the Age attribute of an instance may change. However, such changes to attribute **values** do not change the attributes themselves. Specifically, "Age" does not cease to be an attribute of the class "person" simply because a particular value is stored in the Age attribute of a particular object instance.

With the distinction between "attributes" and "attribute values" in mind, it is believed that the problems with the Examiner's Answer are readily apparent. Specifically, it should be clear that adding items to a collection does not add attributes to an object instance that contains the collection.

### II. Adding items to a collection does not add attributes to the object instance that contains the collection

As a preliminary matter, it is noted that the Applicants and the Examiner agree on a variety of points. For example, both the Applicants and the Examiner agree that:

- the collection “Orders\_for\_Customer” is an attribute of the Customer Class 420; and
- an “order” is not an attribute of class Customer, or any superclass of class Customer

In the Examiner’s Answer, the Examiner appears to contend that adding an “order” to the “Orders\_for\_Customer” collection of an instance of the Customer Class causes the instance of the Customer Class to have an attribute that is not in the Customer Class. However, adding an “order” to the “Orders\_for\_Customer” collection of an instance of the Customer Class is **merely a change in the attribute value of the “Orders\_for\_Customer” attribute**. (The attribute value of a collection attribute is changed by adding or removing items from the collection).

Ng discloses that the Customer Class 420 has an attribute (collection “Orders\_for\_Customer”) that is a collection of the Order Class 424. This attribute is in the Customer Class 420 and each instance of the Customer Class 420. There is nothing in Ng to indicate otherwise.

Just as an instance of the Order Class 424 is not an attribute of the Customer Class 420 (see FIG. 4B), neither is it an attribute of any **instance** of the Customer Class 420. No new attributes are added to the instance, only the value or content of the attribute changes. All instances of the Customer Class 420 have the same attributes, one of which is called collection “Orders\_for\_Customer.”

The Examiner states, “As can be seen from FIG. 4B, no attributes of Class Customer can be found, which are of type Order.” For the Examiner’s position to be consistent, attributes of **type Order** must be found in an **instance** of Class Customer for Ng to anticipate the claimed feature “associating with said instance of said class an attribute that is not in said class,” because the attribute **not in said class** must be **associated with [an] instance of said class**.

This is impossible given the Examiner’s earlier assertion that “it is the collection of objects representing one or more instances of class Order 424 that is defined as an attribute of class Customer 420, and **not the actual instances** of class Order 424.” If the collection does not contain actual instances of class Order 424, the contents of the collection cannot be of type Order.

Thus, either the collection contains actual instances of type Order, in which case the association between the attribute (i.e., order) and an instance of the class Customer causes the actual instance of class Order to become an attribute of class Customer, or the collection does not contain any actual instances of type Order, in which case the claimed feature "associating with said instance of said class an attribute that is not in said class" is not anticipated.

Appellants respectfully submit that the imposed rejections under 35 U.S.C. § 102(e) and 35 U.S.C. § 103(a) are **not** viable and respectfully solicit the Honorable Board to **reverse** each of the imposed rejections.

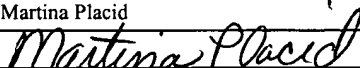
Respectfully submitted,  
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Date: August 28, 2006

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